

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

FRANCIS T. KHUONG, et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 4:23-CV-00684-
	§	SDJ-AGD
WILMINGTON SAVINGS FUND	§	
SOCIETY FSB,	§	
	§	
Defendant.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 3, 2024, the Report of the Magistrate Judge, (Dkt. #28), was entered containing proposed findings of fact and recommendation that Defendant’s Motion for Default Judgment against Plaintiffs (Dkt. #17) be granted; that Defendant should be entitled to foreclose the security instrument and sell the property at a non-judicial foreclosure sale upon providing to Plaintiffs the notice of sale required by Texas Property Code §§ 51.002(b) and 51.0025(2); and that Defendant be granted leave to file a motion for attorneys’ fees and costs within fourteen (14) days of the Court’s entry of default judgment against Plaintiffs if it desires.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and

conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's Report as the findings and conclusions of the Court.

It is therefore **ORDERED** Defendant's Motion for Default Judgment against Plaintiffs (Dkt. #17) is **GRANTED**. It is further **ORDERED** that Defendant is entitled to foreclose the security instrument and sell the property at a non-judicial foreclosure sale upon providing to Plaintiffs the notice of sale required by Texas Property Code §§ 51.002(b) and 51.0025(2). It is further **ORDERED** that Defendant is **GRANTED** leave to file a motion for attorneys' fees and costs within fourteen (14) days of the Court's entry of default judgment against Plaintiffs if it desires.

So ORDERED and SIGNED this 23rd day of September, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE